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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

PICOZZI, et al.

Serial Number: 10/630,697

Filed: July 31, 2003

For: HYDROFLUOROETHERS HAVING AT LEAST ONE HYDROGENATED -OCFX'CH₃ END GROUP WHEREIN X'= F, CF₃ AND THEIR PREPARATION PROCESS

Confirmation Number: 1621

Attorney Docket Number: 108910-00111

Group Art Unit: 1621

Examiner: Rosalynd A. Keys

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Box Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

March 14, 2006

Sir:

This paper is filed in response to the Restriction Requirement and Election of Species Requirement dated February 16, 2006 in connection with the above-identified patent application.

The Restriction Requirement asserted that the claims define two (2) independent and distinct inventions and required the Applicant to elect one of the following two inventions:

Group I: claims 1 and 2, drawn to hydrofluoroethers of formula (II); and

Group II: claims 3-7, drawn to a process for the preparation of the hydrofluoroethers of formula (II).

Applicants hereby provisionally elect Group II, claims 3-7, drawn to a process for the preparation of the hydrofluoroethers of formula (II), with traverse. Applicants submit that, for example, hydrofluoroethers having at least one -OCFXCH₃ end group are only known

by the Applicants to be obtainable using the present process. See page 2, line 10 to page 3, line 16 of the specification. Hydrofluoroethers having at least one end group -OCFXCH₃ have been obtained by submitting fluorinated precursors having specific groups (e.g. acylchloride groups of page 4, lines 14-16 of the specification) to hydrogenation in the presence of catalyst formed by supported platinum, as presently claimed. As such, Applicants respectfully submit that it has not been demonstrated that the hydrofluoroethers of formula (II) of Group I can be made by a process other than that of the claims of Group II. Thus, Applicants traverse the restriction between the claims of Group I and Group II and respectfully request withdrawal of the restriction and examination of the claims 1 and 2 of Group I with the provisionally elected claims 3-7 of Group II.

In conclusion, Applicants provisionally elect Group II with traverse. Applicants also withdraw of the restriction and examination of all of the claims on their merits. In any case, Applicant reserves the right to file one or more divisional applications directed to the non-elected claims.

An Election of Species Requirement was required if an election of claims 1-2 of Group I was made. As Applicants have provisionally elected claims 3-7 of Group II, an election of species is not necessary.

It is believed that extensions of time are not required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a) and are

authorized to be charged to our Deposit Account No. 01-2300, referencing docket number 108910-00111.

Please charge any fee deficiency or credit any overpayment with respect to this paper to Deposit Account Number 01-2300, referencing Attorney Docket Number 108910-00111.

Respectfully submitted,



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